

on an end-of-year or final report previously submitted to EPA under this section, the manufacturer's credits and credit calculations will be recalculated. Erroneous positive credits will be void except as provided in paragraph (h) of this section. Erroneous negative credit balances may be adjusted by EPA.

(h) If within 270 days of the end of the model year, EPA review determines a reporting error in the manufacturer's favor (that is, resulting in an increased credit balance) or if the manufacturer discovers such an error within 270 days of the end of the model year, the credits shall be restored for use by the manufacturer.

**§ 89.212–96 Notice of opportunity for hearing.**

Any voiding of the certificate under §§ 89.203–96(f), 89.206–96(d), 89.209–96(c) and 89.210–96(g) will be made only after the manufacturer concerned has been offered an opportunity for a hearing conducted in accordance with §§ 89.512 and 89.513 and, if a manufacturer requests such a hearing, will be made only after an initial decision by the Presiding Officer.

**Subpart D—Emission Test Equipment Provisions**

**§ 89.301–96 Scope; applicability.**

(a) This subpart describes the equipment required in order to perform exhaust emission tests on new nonroad compression-ignition engines subject to the provisions of subpart B of part 89.

(b) Exhaust gases, either raw or dilute, are sampled while the test engine is operated using an 8-mode test cycle on an engine dynamometer. The exhaust gases receive specific component analysis determining concentration of pollutant, exhaust volume, the fuel flow, and the power output during each mode. Emission is reported as grams per kilowatt hour (g/kw-hr). See subpart E of this part for a complete description of the test procedure.

(c) General equipment and calibration requirements are given in § 89.304–96 through 89.324–96. Sections 89.325–96 through 89.331–96 set forth general test specifications.

(d) Additional information about system design, calibration methodologies, and so forth, for raw gas sampling can be found in part 86, subpart D of this chapter. Examples for system design, calibration methodologies, and so forth, for dilute exhaust gas sampling can be found in part 86, subpart N of this chapter.

**§ 89.302–96 Definitions.**

The definitions in subpart A of part 89 apply to this subpart. For terms not defined in part 89, the definitions in part 86, subparts A, D, I, and N apply to this subpart. The following definition also applies to this subpart.

*Specific emissions, g/kW-hr*, is expressed on the basis of observed gross brake power. When it is not possible to test the engine in the gross conditions, for example, if the engine and transmission form a single integral unit, the engine may be tested in the net condition. Power corrections from net to gross conditions will be allowed with prior approval of the Administrator.

**§ 89.303–96 Symbols/abbreviations.**

(a) The abbreviations in § 86.094–3 or part 89.3 of this chapter apply to this subpart.

(b) The abbreviations in Table 1 in appendix A of this subpart apply to this subpart. Some abbreviations from § 89.3 have been included for the convenience of the reader.

(c) The symbols in Table 2 in appendix A of this subpart apply to this subpart.

**§ 89.304–96 Equipment required for gaseous emissions; overview.**

(a) All engines subject to this subpart are tested for exhaust emissions. Engines are operated on dynamometers meeting the specification given in § 89.306–96.

(b) The exhaust is tested for gaseous emissions using a raw gas sampling system as described in § 89.412–96 or a constant volume sampling (CVS) system as described in § 89.419–96. Both systems require analyzers (see paragraph (c) of this section) specific to the pollutant being measured.

(c) Analyzers used are a non-dispersive infrared (NDIR) absorption type